

**Dz.U. (Journal of Laws) 05.143.1200**

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**ACT**

of 1 July 2005

**on Establishing the Multi-Year “National Cancer Control Programme”**

(Dz. U.[Journal of Laws] of 2 August 2005)

**Art. 1.** 1. A multi-year programme “The National Cancer Control Programme” (hereinafter referred to as the “Programme”) is hereby established.

2. The Programme is a multi-year programme within the meaning of Art. 80 of the Act of 26 November 1998 on Public Finance (Dz. U [Journal of Laws] of 2003, No. 15, item 148, as amended<sup>1)</sup>) and is being implemented during the years 2006-2015.

**Art. 2.** The objective of the Programme shall be to

- 1) Stop the increase in cancer incidence;
- 2) Reach average European indicators in early cancer detection;
- 3) Reach average European indicators in treatment effectiveness;
- 4) Create the conditions for using in oncology practice the progress in knowledge about the causes and mechanisms of the development of malignant tumours;
- 5) Create a system of the constant monitoring of the effectiveness of fighting cancer, on the national scale and in respective regions.

**Art. 3.** The measures undertaken within the Programme shall concern in particular

- 1) The development of the primary prevention of malignant tumours, including, in particular, those dependent on smoking and malnutrition;
- 2) The implementation of population programmes for early detection, in particular the early detection of cervical cancer, breast cancer, colorectal cancer and selected cancer types in children;
- 3) The increase in the availability of early detection methods and the implementation of procedures ensuring the quality of cancer diagnostics and therapy;
- 4) The standardisation of procedures in radiation treatment;
- 5) The supplementation and replacement of operated devices for radiotherapy and cancer diagnostics;
- 6) The dissemination of combined treatment methods;
- 7) The development and dissemination of modern methods for the rehabilitation of patients, the reduction of long-term consequences of treatment and palliative care in oncology;
- 8) The development and dissemination of oncology education in the undergraduate and postgraduate teaching of doctors, dentists, nurses, midwives, and representatives of other medical professions;
- 9) The improvement in the functioning of the data collection system on the level of advancement of cancer;
- 10) The dissemination in society of knowledge on the prevention, early diagnosis and treatment of cancer.

**Art. 4.** The Programme is being carried out by the Minister in charge of health, who

- 1) Determines the amount of funds allocated to the implementation of the Programme for three

successive years;

- 2) Prepares the draft schedule of tasks carried out under the Programme for the following budget year and the directions in which the Programme's tasks will be implemented for the following two years;
- 3) Coordinates cooperation between all entities implementing individual actions resulting from the Programme;
- 4) Selects the entities implementing actions resulting from the Programme;
- 5) Controls the quality of financial benefits within the Programme;
- 6) Prepares annual reports on the implementation of the Programme;
- 7) Provides administrative services for the implementation of the Programme.

**Art. 5.** 1. The Minister in charge of health presents to the Council of Ministers a draft schedule of tasks carried out under the Programme for the following budget year and the directions in which the Programme will be implemented for the following two years, as well as an annual report on Programme implementation.

2. The Council of Ministers shall adopt, by way of a Resolution, the schedule of tasks carried out under the Programme for the following budget year and the directions for the implementation of the Programme for the following two years.

**Art. 6.** 1. The Council on Cancer Control is hereby appointed, hereinafter referred to as "The Council," as an opinion-giving and advisory body of the Minister in charge of health, for issues connected with the Programme.

2. The Council shall be composed of

- 1) A representative of the Minister in charge of health, as Chairperson;

- 2) A representative of the National Health Fund;
- 3) A representative of medical universities;
- 4) Four representatives of science and practice in the field of oncology, recognised for their scientific and ethical achievements.

3. The members of the Council shall be appointed and dismissed by the Minister in charge of health.

4. The Council's tasks shall be to prepare

- 1) An opinion on the amount of funds allocated to Programme implementation, provided for in Art. 4 par. 1;
- 2) An annual analysis of Programme implementation;
- 3) An opinion on the draft schedule and report, provided for in Art. 4 par. 2 and 6;
- 4) The range of measures necessary for Programme implementation;
- 5) Opinions on draft solutions connected with Programme implementation;
- 6) Opinions on measures taken up by the entities implementing measures under the Programme;
- 7) Opinions on documentation concerning requirements connected with awarding tenders.

5. The Council shall act on the basis of the work rules and regulations passed by it, as approved by the Minister in charge of health.

6. The members of the Council are entitled to the reimbursement of travel and accommodation expenses and a per-diem allowance as per business-trip conditions, provided for in the regulations issued on the basis of Art. 77<sup>5</sup> § 2 of the Labour Code.

7. The costs of the functioning of the Council are covered from the State budget in the part the holder of which is the Minister in charge of health.

**Art. 7.** 1. The Programme is financed from the State budget and extra-budget funds, with the total expenditure for the Programme over the entire period of its implementation amounting to PLN 3,000,000,000.

2. The planned expenditure from the State budget on the implementation of measures within the Programme cannot, in each respective year, be lower than PLN 250,000,000.

3. <sup>(1)</sup> The planned expenditure for the implementation of measures in the field of early cancer detection must not be less than 10% of Programme expenditure annually.

**Art. 8.** 1. The entities implementing the Programme measures may be all legal entities functioning in the health-protection system.

2. The entities implementing the Programme measures financed from the State budget shall be selected by way of a call for tenders carried out by the Minister in charge of health.

3. A call for tenders as provided for in par. 2, shall be announced by the Minister in charge of health in its headquarters and on its website, at least 30 days before the specified time limit for submitting tenders.

4. In the announcement provided for in par. 3, the following shall be specified in particular

- 1) The object of the call;
- 2) The requirements set out before the tenderers, whose fulfilment is necessary to carry out the measures within the Programme;
- 3) The date and venue for submitting tenders.

5. To an extent which is not provided for in the Act, the relevant provisions of the Civil Code on public procurement shall apply to the contract-awarding procedure and the signing of contracts for the implementation of the Programme.

6. Regulations on public procurement shall not be applied to the choice of the entity

implementing Programme measures.

**Art. 9.** The Minister in charge of health presents to the Sejm of the Republic of Poland, no later than by 31 May, an annual report on the Programme implementation for the previous calendar year, a schedule of tasks carried out within the Programme for the subsequent budget year and the directions for Programme implementation for the following two years.

**Art. 10.** The Act shall become effective 14 days from the date of the announcement.

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<sup>1)</sup> Amendments to the consolidated text of the Act were announced in Dz. U (Journal of Laws) of 2003, No. 45, item 391, No. 65, item 594, No. 96, item 874, No. 166, item 1611, and No. 189, item 1851, of 2004 No. 19, item 177, No. 93, item 890, No. 121, item 1264, No. 123, item 1291, No. 210, item 2135, and No. 273, item 2703, and of 2005 No. 14, item 114, and No. 64, item 565.

**Endnotes:**

<sup>1)</sup> Art. 7 par. 3 amended by Art. 1 of the Act of 7 February 2008 (Dz.U. [Journal of Laws] 08.54.325) amending this Act as of 15 April 2008.